

1
2
3
4 **UNITED STATES DISTRICT COURT**
5 **DISTRICT OF NEVADA**

6 JHONNY DARIO LEMUS,
7
8 Plaintiff(s),

9 vs.

10 ROBERT JAMES OLAVESON, et al.,
11 Defendant(s).

)
)
) Case No. 2:14-cv-01381-JCM-NJK

)
) ORDER
)

12 The Court has scheduled an evidentiary hearing on Defendants' motion for sanctions (Docket
13 No. 16) on January 28, 2015, at 1:00 p.m. in Courtroom 3B. Docket No. 25. The Court has
14 reviewed Defendants' motion, Plaintiff's response, Plaintiff's errata to his response, and Defendants'
15 reply. Docket Nos. 16, 17, 19, 21. From the briefing, it appears that the major issues to be addressed
16 at the evidentiary hearing are as follows:

- 17 a. Whether Plaintiff's counsel provided Defense counsel with advanced notice that
18 Plaintiff would undergo surgery.
19 b. The statement regarding Plaintiff's future spinal surgeries in the Joint Discovery
20 Plan.
21 c. Whether the presence of a spinal cord stimulator changed Plaintiff's physical makeup
22 such that it spoiled material evidence.

23 The parties are hereby **ORDERED** to submit a joint pre-hearing brief, no later than January
24 20, 2015, listing all witnesses who will be testifying at the evidentiary hearing.

25 IT IS SO ORDERED.

26 DATED: January 12, 2015

27
28


NANCY J. KOPPE
United States Magistrate Judge